

RECEIVED
SDNY PRO SE OFFICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2022 AUG 23 AM 10:13

Monte S. Leach

1:22 CV 03007-ALC

Write the full name of each plaintiff.

(Include case number if one has been assigned)

-against-

New York City - The N.Y. P.D
and two of its officer's (John Doe's)
from the 5th Precint in China Town
Manhattan

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

AMENDED

COMPLAINT

(Prisoner)

Do you want a jury trial?

Yes No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant.

Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

The N.Y.P.D. and two of its officers from the 5th Precinct in Manhattan whose names and shield #s I do not know (John Doe's)

First Name

Last Name

Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

Defendant 2:

~~New York City Police Department~~

First Name

Last Name

Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

Defendant 3:

~~N.Y.C. Court~~

Last Name

Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

Defendant 4:

~~100 church st.~~

Last Name

Shield #

Current Job Title (or other identifying information)

Current Work Address

~~Manhattan~~

N.Y.

N.Y.

10007

County, City

State

Zip Code

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

8/17/22

Dated

Monife

First Name

S.

Middle Initial

H. Leach

Plaintiff's Signature

Leach

Last Name

~~111 Wanda Ave~~ 111 Wanda Ave Bklyn. N.Y. 11212 Apt. 318

County, City

State

Zip Code

Date on which I am delivering this complaint to prison authorities for mailing:

(1)

On May 10th 2021 - I Monte S. Beach was falsely accused and falsely arrested on felony charges that consisted of my indictment on false charges of rape, in the 1st degree! These false charges jailed me for at least two, three or four months before I was released on my own ~~recognition~~ reconnoissance!

After being released I was detered to an out patient program (not a drug) on 125th street which is called CASES!

I was assigned a counselor who I would speak with once a week named Mitchell Simple! phone #: 347-786-0717

I was also assigned my lawyer: an Elizabeth Bender! from the neighborhood Defenders Service of Harlem 317 Lenox Ave 10th Flr. N.Y. N.Y. 10027 phone #: 917-826-8834

She can fill you in on the case that I am putting this complaint about. She can also fill your honorable court in with such address of CASES! if needed.

(3)

inflammation and pain from previous injuries not associated with the false of such case possible colon cancer of which I have been scheduled for an colonoscopy on March 11th 2022¹ I now have also been diagnosed with an enlarged and swollen prostate and constant pain in the right side of my lower abdomen all of which before such character as assignation and false charges, I was not plagued with¹. A Dr. Daniel S. Reich (M.D.) will be overseeing endocopy procedure on March 11th at Queens Endoscopy: 176-60 Union Turnpike, Fresh Meadows N.Y. 11366 He can be reached at 69-60 108th St Forest Hills, N.Y. 11375 phone#: 718-544-0442 if needed¹ its for reports of and all of my other ailments brought on behind such character as assignation and false charges please refer to a Dr. Alfredo Costello (M.D.) at 31-41 45th St. Astoria, N.Y. 11103 phone#: 718-274-2600.

(5)

on such false charges, that the Manhattan District attorney's in charge of such case mentioned on record to my attorney at the time "Elizabeth Bender" and myself "Monte S. Leach" that the so-called victim of this false case, I charges, picked out a person other than myself at the police station at which she supposedly made this false complaint against my person. If she picked this other person or persons out thru a live line up and or photo picture line up and according to her grand-jury statement the victim (so-called) basically had a supposedly knowing of my name, face and whereabouts at the time of such false crime occurred! When including the fact that there was not a single trace of D.N.A evidence linking myself "Monte S. Leach" to such a heinous crime this would show proof that there was not any probable cause for myself "Monte S. Leach" to be arrested and indicted then ultimately being released and the case being dismissed. Due to such ailments that have plagued me and my life since the onset of this false

(7)

threat such ordeal! Since that is what I have sighted it to be I seek out from all this the compensation of the monetary sense of two million dollars for such and ordeal that was based on falseness and character ascription!

This is my view and true account of what this plague of character, false arrest, and false incarceration has adversely and negatively brought upon my emotional, mental, and physical person!

I Monte S. Leach
 was arrested by officers
~~of~~ of the N.Y.P.D. at
 a N.Y.C. shelter on just 110th
 Street in harlen, brought to an
 unknown precinct in harlen then
 brought to the 5th precinct in China town Manhattan N.Y. by
 two John Doe officers placed under arrest then brought
 to the 100 Center St. lock up in Manhattan!
 The names ~~of~~ and badge numbers of these John Doe officers
 I do not know!

Respectfully:
Monte S. Leach


 VADIS O. MCKENZIE
 NOTARY PUBLIC, STATE OF NEW YORK
 NO. 01MC6408715
 QUALIFIED IN KINGS COUNTY
 MY COMMISSION EXPIRES SEPTEMBER 8, 2024

OFFICE OF CHIEF MEDICAL EXAMINER

520 First Avenue, New York, New York 10016

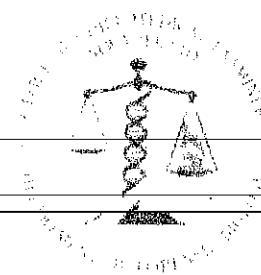
Timothy D. Kupferschmid, Director

DEPARTMENT OF FORENSIC BIOLOGY

Charles S. Hirsch Center for Forensic Sciences

421 East 26th Street, New York, New York 10016

Telephone: 212.323.1200 Email: DNA Lab@ocme.nyc.gov

Official Website: <http://www.nyc.gov/ocme>

DATE: June 10, 2021

LABORATORY REPORT**SUSPECT:** Monte Leach**NYSID NO:** 05426580M**LAB NO:** FBS21-01036**ARREST NO:** M21613868**REPORT ID:** CRT-0521-0976**RESULTS AND CONCLUSIONS**

STR DNA typing using the PowerPlex[®] Fusion PCR Amplification Kit was performed on the DNA sample from Monte Leach. A 22-locus DNA profile was determined.

This DNA profile was compared to the results in the following report(s):

FB Number	Complaint Number	Complainant's Name	Case Report ID(s)
FB21-03207	2021-026-01025	[REDACTED]	CRT-0621-0014

Sample: dried secretion swab from "left cheek" (item 1.3.2)

Hypothesis 1: Monte Leach and [REDACTED]

Hypothesis 2: [REDACTED] and one unknown person

A likelihood ratio was calculated for the comparison of Monte Leach to the DNA mixture found on dried secretion swab from "left cheek" (item 1.3.2). Monte Leach is excluded as a contributor to this sample.

Sample(s): vulvar swab, sperm cell fraction

Monte Leach is not the source of the DNA.

The DNA profile of Monte Leach is suitable for entry into the OCME local DNA databank.

Case 1:22-cv-03007-ALC Document 2 Filed 04/11/22 Page 10 of 11

SUPREME COURT OF THE STATE OF NEW YORK NO FEE
 NEW YORK COUNTY
 100 CENTRE STREET
 NEW YORK, NY 10013

CERTIFICATE OF DISPOSITION DISMISSAL

DATE: 11/22/2021

CERTIFICATE OF DISPOSITION NUMBER: 66757

PEOPLE OF THE STATE OF NEW YORK
 VS.
 LEACH, MONTE

CASE NUMBER:	01062-2021
LOWER COURT NUMBER(S):	CR-010654-21NY
DATE OF ARREST:	05/10/2021
ARREST #:	M21613868
DATE OF BIRTH:	03/06/1968
DATE FILED:	05/14/2021

DEFENDANT

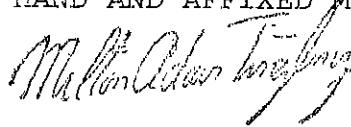
I HEREBY CERTIFY THAT IT APPEARS FROM AN EXAMINATION OF THE RECORDS ON FILE IN THIS OFFICE THAT ON 10/25/2021 THE ABOVE ACTION WAS DISMISSED AND ALL PENDING CRIMINAL CHARGES RELATED TO THIS ACTION WERE ALSO DISMISSED BY THE HONORABLE FARBER, C THEN A JUDGE OF THIS COURT.

THE DEFENDANT WAS DISCHARGED FROM THE JURISDICTION OF THE COURT.

THE ABOVE MENTIONED DISMISSAL IS A TERMINATION OF THE CRIMINAL ACTION IN FAVOR OF THE ACCUSED AND PURSUANT TO SECTION 160.60 OF THE CRIMINAL PROCEDURE LAW "THE ARREST AND PROSECUTION SHALL BE DEEMED A NULLITY AND THE ACCUSED SHALL BE RESTORED, IN CONTEMPLATION OF LAW, TO THE STATUS OCCUPIED BEFORE THE ARREST AND PROSECUTION".

PURSUANT TO SECTION 160.50(1C) OF THE CRIMINAL PROCEDURE LAW, ALL OFFICIAL RECORDS AND PAPERS RELATING TO THIS CASE ARE SEALED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THIS DATE 11/22/2021.



COURT CLERK

All marijuana convictions under PL 221.05, PL 221.10, PL 221.15, PL 221.20, PL 221.35 or PL 221.40 - including any appearing on this certificate of disposition - are vacated, dismissed, sealed, and expunged. It is an unlawful discriminatory practice for any entity to make any inquiry about such an expunged conviction or to use such an expunged conviction adversely against an individual in any form of application or otherwise - unless specifically required or permitted to do so by statute.

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of "1 year", "12 months", or "365 days" is, by operation of law, deemed to be a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of "1 year", "12 months", "52 weeks", or "365 days" for a misdemeanor conviction shall be interpreted as a sentence of 364 days.



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FROM: Monte S. Leach
1 Livonia Ave. BKlyn. N.Y. 11212
Apt. 318

TO:
Southern District Courts of New York
500 Pearl St. N.Y. NY 10007-1312

Attn: Clerk of Courts!

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